



Office for Democratic Institutions and Human Rights

REPUBLIC OF ALBANIA

LOCAL ELECTIONS

21 June 2015

OSCE/ODIHR NEEDS ASSESSMENT MISSION REPORT

15-17 April 2015



Warsaw
27 April 2015

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OSCE/ODIHR Needs Assessment Mission Report

I. INTRODUCTION

Following an invitation from the Permanent Mission of the Republic of Albania to the International Organisations in Vienna to observe the 21 June 2015 local elections and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) undertook a Needs Assessment Mission (NAM) to Albania from 15 to 17 April. The NAM included Dr. Richard Lappin, OSCE/ODIHR Senior Election Adviser, Mr. Alexey Gromov, OSCE/ODIHR Election Adviser, and Mr. Oleksii Lychkovakh, OSCE/ODIHR Election Adviser.

The purpose of the mission was to assess the pre-election environment and the preparations for the local elections. Based on this assessment, the NAM recommends whether to deploy an OSCE/ODIHR election-related activity for the forthcoming elections, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions and the election administration, as well as with representatives of political parties, media, civil society, and the resident international community. A list of meetings is annexed to this report.

The OSCE/ODIHR would like to thank the Ministry of Foreign Affairs and the OSCE Presence in Albania for their assistance in organizing the visit. The OSCE/ODIHR would also like to thank all of its interlocutors for taking the time to meet with the mission and to share their views.

II. EXECUTIVE SUMMARY

The 21 June local elections will take place in context of the recent reform of local government units. Mayors and councils will be elected in each of the 61 newly-formed municipalities. Mayors are elected in first-past-the-post contests, while councillors are elected under a closed-list proportional system.

The political environment is polarized between the ruling Socialist Party and the opposition Democratic Party, with the latter only recently ending a boycott of parliament. Many OSCE/ODIHR NAM interlocutors expressed concerns that pervasive political distrust between the parties may negatively impact the conduct of the elections. The elections are widely viewed as an important test of ongoing reform of local government and of Albania's recent attainment of candidate status for accession to the European Union.

The upcoming elections will be conducted under a legal framework that was significantly amended in 2012 with broad support, addressing many previous OSCE/ODIHR recommendations. The 2014 reform of local government units and the associated changes to the Electoral Code in 2015 were passed without opposition support. The opposition and several non-parliamentary parties claimed that the reform process was not inclusive and that redistricting was done along partisan lines.

Women are generally underrepresented in Albanian politics, particularly at the local level. All OSCE/ODIHR NAM interlocutors welcomed amendments to the Electoral Code that require equal gender representation on candidate lists. Lists that do not comply with this rule are not registered. The OSCE/ODIHR has long recommended the promotion of women candidates.

Elections are administered by a three-tiered election administration made up of the Central Election Commission (CEC), 90 Commissions of Electoral Administration Zones (CEAZ), and some 5,300 Voting Centre Commissions. Counting is conducted regionally in 90 Ballot Counting Centres. Preparations for the elections are ongoing. Most OSCE/ODIHR NAM interlocutors noted improved cooperation among CEC members. Nevertheless, interlocutors stressed that the CEC, as well as lower-level commissions, remain vulnerable to political pressure and does not yet enjoy full confidence. Some concerns were expressed about election day procedures, particularly in the vote counting and tabulation.

Voter registration is passive and voter lists are based on information extracted from the National Civil Status Register. The number of voters as of 15 April was 3,365,111. To assess the quality of the voter lists, the CEC appointed two auditors who have separately reported no major issues with the accuracy of the lists; an assessment shared by the majority of OSCE/ODIHR NAM interlocutors. However, a lack of data provided by some mayors for updating the voter lists is of concern.

The elections can be contested by candidates nominated by political parties, coalitions of parties, or groups of voters. The CEC has registered 62 parties to contest the elections. Although in line with the revised Electoral Code, some interlocutors expressed concern that a CEC decision to remove the exemption of collecting supporting signatures for some categories of incumbent mayors and councillors is unfair and presents an obstacle to their candidacy.

The election campaign starts on 22 May. While OSCE/ODIHR NAM interlocutors did not raise issues with the ability to campaign freely, some concerns were expressed about possible pressure on voters, abuse of state resources, and vote-buying. Public campaign financing is provided to parties but not independent candidates. The law does not set a deadline for the submission of campaign finance reports, which may lessen transparency.

Media coverage of the campaign is comprehensively regulated, including requirements for free airtime, news coverage, and advertisements. Coverage of parties is determined by their parliamentary representation. Many OSCE/ODIHR NAM interlocutors characterized the media environment as vibrant, but polarized along political lines.

The law provides for international and citizen election observation, as well as by representatives of parties and independent candidates. Several citizen observer groups informed the OSCE/ODIHR NAM of their intention to observe the elections, but noted that a lack of funding would hinder their activities.

Only electoral contestants have the right to file complaints against election administration bodies. The CEC considers all complaints against CEAZs. CEC decisions can be challenged to the Electoral College of the Court of Appeals of Tirana. The Electoral Code sets a relatively long 10-day period for the Electoral College to address appeals. Some OSCE/ODIHR NAM interlocutors reported a lack of confidence in the impartiality of the election administration and courts in resolving electoral disputes.

Most OSCE/ODIHR NAM interlocutors underscored that while electoral legislation and practice have improved in recent years, a high degree of polarization and distrust among political parties remains. In context of the recent local government reform, all OSCE/ODIHR NAM interlocutors considered a full OSCE/ODIHR election observation activity indispensable. Official representatives emphasized that the electoral process would be transparent and that OSCE/ODIHR's observation and recommendations resulting would be welcome. Other interlocutors requested that the OSCE/ODIHR deploy the largest possible number of observers to cover all stages of the process, with a particular emphasis on the work of the election administration, candidate registration, the campaign, and election day procedures, including the vote count and tabulation of results.

On this basis, the OSCE/ODIHR NAM recommends the deployment of an election observation mission for the upcoming local elections. In addition to a core team of experts, the OSCE/ODIHR will request the secondment by OSCE participating States of 24 long-term observers to follow the electoral process countrywide, as well as 250 short-term observers to observe election day procedures, including voting, counting of votes, and tabulation of results.

III. FINDINGS

A. BACKGROUND AND POLITICAL CONTEXT

Albania is a parliamentary republic with legislative powers vested in the 140-member parliament and executive power exercised by the government, led by a prime minister. The political system is dominated by two political parties, the Socialist Party (SP) led by Edi Rama, and the Democratic Party (DP) led by Lulzim Basha. The current government is led by the SP with 65 seats, in coalition with the Socialist Movement for Integration (SMI) with 16 seats, and is supported by other parties. The parliamentary opposition is led by the DP with 50 seats.

The previous 2011 local elections returned 218 mayors from a coalition led by the DP and SMI and 145 from a coalition led by the SP. Of the 6,152 councillors elected, 1,191 were nominated by the DP, 1,446 by SP, and 1,251 from other parliamentary parties. The remaining 2,264 seats were distributed between non-parliamentary parties and 18 independent candidates.

On 31 July 2014, revised local government units were approved by parliament, with 61 newly-formed municipalities replacing the former 373 municipalities and communes.¹ Although all political parties agreed on the need to reduce the number of local government units, the opposition and several non-parliamentary parties claimed that the reform process was not inclusive and that the redistricting was made along partisan lines and did not always take into account the specifics of minority-populated areas. The DP challenged the new division of municipalities in the Constitutional Court, which dismissed the appeal on 15 December 2014.² On the same day, President Bujar Nishani called local elections for 21 June 2015. The upcoming elections will be the first for the 61 newly-formed municipalities.

The opposition boycotted parliament from July, protesting against an alleged lack of political will from the government to look for consensus on important reforms. In December 2014, mediated by the European Parliament, the boycott ended and the opposition and government committed to work together in a consensual way.³ In October-November 2014, citizen groups supported by the opposition, requested the Central Election Commission (CEC) to hold 130 local referenda to oppose the reformed municipalities. The CEC granted the initiatives, but its decisions were appealed by the SP and cancelled by the Electoral College of the Court of Appeals of Tirana on 14 January 2015 as a final instance.

Many OSCE/ODIHR NAM interlocutors characterized the political environment as tense, largely due to long-standing conflicts between the two major parties and expressed concern that pervasive distrust between the parties may negatively impact the conduct of the elections. Several OSCE/ODIHR NAM interlocutors stressed that the elections are an important test of ongoing local government reform, with the precise competencies of the municipalities to be determined in the post-election period. The

¹ As a result of the reform, after the elections, the communes, which now represent the second level of local government units will be merged with the first-level units, the municipalities.

² Among the grounds for the appeal, the DP cited procedural violations during the adoption of the law, unconstitutional merging of communes, as well as a potential inequality of voter representation in the new local councils. At the time of writing, the Constitutional Court had not yet published its decision.

³ See the agreement at: www.parlament.al/web/pub/rezoluta_e_marrevshjesmazhorance_opozite_dt_24_12_2014_20557_1.pdf.

elections are also widely viewed by national and international stakeholders as significant in light of Albania's recent attainment of candidate status for accession to the European Union (EU).

The OSCE/ODIHR has previously observed 11 elections in Albania.⁴ The most recent OSCE/ODIHR election observation mission deployed for the 2013 parliamentary elections concluded that "the elections were competitive with active citizen participation throughout the campaign and genuine respect for fundamental freedoms. However, the atmosphere of distrust between the two main political forces tainted the electoral environment and challenged the administration of the entire electoral process."

B. LEGAL FRAMEWORK

Local elections are primarily regulated by the Constitution, the Electoral Code, and CEC regulations. Secondary legislation includes the Law on Local Government, the Law on Political Parties, the Law on Demonstrations, and provisions of the Code of Administrative Procedures and Criminal Code.

The Electoral Code was significantly amended in 2012, following an inclusive process that was supported by the major parties. These changes addressed a number of previous recommendations of the OSCE/ODIHR, such as an amended selection process for election administration members, including the CEC chairperson, a revised process for voter list compilation, a simplified process for candidate registration, and more equitable access to media and public campaign funds. Technical amendments were made in April 2015 to reflect the new division of local government units, although without DP support.

The 2008 Law on Gender Equality in Society provides for a minimum 30 per cent representation of women in all public-sector institutions at national and local levels. However, women remain under-represented in public and political life, especially in decision-making positions, holding 29 out of 140 seats in the current parliament, 7 of the 21 ministerial posts, and 7 out of 373 mayors. Amendments were also introduced to promote women candidates (see *Candidate Registration*).

Some previous OSCE/ODIHR recommendations remain unaddressed, including measures to enhance the impartiality of election commissions, transparency of campaign finance, and effective electoral dispute resolution. Many OSCE/ODIHR NAM interlocutors expressed concerns that the electoral process remains reliant on the political will of the two main parties to discharge their electoral duties in a responsible manner.

C. ELECTORAL SYSTEM

Mayors and local councils are elected directly for four-year terms. Mayors are elected in first-past-the-post contests and councillors are elected from closed lists under a proportional system. The constituencies for local elections are the territories of the municipalities. Several OSCE/ODIHR NAM interlocutors expressed their dissatisfaction with the closed list system, stating that it gives too much discretion to party leaders to define the candidates and limits voter choice.

The Law on Local Government, amended in April 2015, provides that the number of councillors to be elected in each municipality is determined according to its population size, ranging from 15 to 61 members. Several political parties met with by the OSCE/ODIHR NAM expressed their concern that a definitive number of seats per municipality had not yet been set, potentially impacting electoral contestants ability to plan their electoral activities effectively.

⁴ All previous OSCE/ODIHR reports are available at: www.osce.org/odihr/elections/albania.

To qualify for seat allocation, parties must surpass a three per cent threshold of votes cast in the respective municipality and coalitions must surpass a five per cent threshold. Seats are allocated to parties and coalitions according to the d'Hondt system. A second allocation using the Sainte-Laguë method is conducted to distribute seats to parties within a coalition. An independent candidate obtains a seat in the council if the number of votes for this candidate is higher than the minimal quotient defined for allocation of the seats for the parties and coalitions.

D. ELECTION ADMINISTRATION

Local elections are administered by a three-tiered election administration: the Central Election Commission (CEC), 90 Commissions of Electoral Administration Zones (CEAZs), and some 5,300 Voting Centre Commissions (VCCs). Counting is conducted regionally by Counting Teams (CTs) in 90 Ballot Counting Centres (BCCs), one for each Electoral Administration Zone (EAZ).

The CEC is a permanent body responsible for the overall conduct of the elections. The CEC has seven members, all appointed by the parliament. Two members are proposed by the largest parliamentary majority party and two by the largest opposition party. The next largest parliamentary majority and opposition parties propose one member each. The CEC chairperson is elected for a four-year term following an open application process, while other members are elected for six-year terms. The CEC deputy chairperson is elected from among the CEC members based on a proposal by the largest parliamentary opposition party. On 30 January, parliament approved three new commissioners, allowing the CEC to operate with a full membership for the first time since April 2013. Three of the seven CEC members are women, including the chairperson. In addition, all parliamentary parties and other parties competing in the elections are entitled to nominate non-voting representatives to the CEC.

The CEC's responsibilities include establishing the EAZs, appointing and removing CEAZ members, printing ballots, training lower-level election officials, overseeing campaign finance, imposing sanctions for election-related administrative infractions, considering complaints and appeals, and announcing the final results for the local councils. On 8 April, in a positive step, the CEC adopted its internal Rules of Procedures. Most of the interlocutors met with by the OSCE/ODIHR NAM noted improved collegiality and co-operation among CEC members and more consistent decision-making and operations. Nevertheless, almost all interlocutors stressed that the CEC, as well as the lower-level commissions, remain vulnerable to political pressure and do not yet enjoy full confidence.

EAZs correspond to the new administrative division. If a municipality has more than 80,000 voters, a second EAZ is formed within that municipality. The number of EAZs was confirmed by parliament only on 2 April, affecting some CEC deadlines.⁵ With minor delays, CEC preparations for the upcoming elections are ongoing, including voter education to promote the participation of women, persons with disabilities, Roma, and first-time-voters. Several OSCE/ODIHR NAM interlocutors stated that greater civic education on the process and substance of the local government reform process could be undertaken. CEC sessions are public and are broadcast live on its website.

The CEAZs are appointed by the CEC for each election and are composed of seven members and a non-voting secretary. Half of the CEAZs have three members nominated by the parliamentary opposition and four members nominated by the majority parliamentary parties including the chairperson. The other half of the CEAZs have three members nominated by the parliamentary majority parties and four members from among the representatives of parliamentary opposition including the chairperson. The deputy chair and the secretary belong to the largest party that is not chairing the respective CEAZ. At

⁵ On 2 April, the parliament adopted transitional provision to the Electoral Code providing the CEC with an opportunity to re-establish some electoral deadlines.

least 30 per cent of the CEAZ members proposed by the largest party in the governing coalition and the largest party in opposition must be women.

Despite long-standing OSCE/ODIHR recommendations, parties are entitled to recall their nominees from CEAZs at any time at their own discretion. The CEC may appoint CEAZ members directly when the parties do not nominate or replace their representatives. The CEC has prepared a list of candidates to fill potential vacancies. All CEAZs were formed on 13 April and their training has commenced. The CEAZs are responsible for organizing and conducting the elections in the EAZ under their supervision. This includes candidate registration, appointing the members of the VCCs and CTs, distributing election materials to the VCCs, and tabulating election results at the local level.⁶

The VCCs are composed of seven members and appointed by CEAZs according to a similar formula as for CEAZs. Political parties should nominate VCC members by 22 May and cannot recall their nominees at their own discretion. The VCCs are responsible for organizing voting, as well as packing and transporting ballots and other election materials after voting to the relevant BCCs. Every BCC has between 3 and 10 counting tables, each with two CTs working in shifts. The CTs should be established by 11 June and consist of four members, two each from the majority and opposition. Some OSCE/ODIHR NAM interlocutors expressed concern about the conduct of election day procedures, particularly the counting and tabulation of votes. There are no provisions to ensure women's representation in VCCs or CTs.

The Electoral Code provides for possibility of New Voting Technologies (NVT) for voter identification, voting, counting, and tabulation of election results. According to the CEC, following the cancellation of pilots during the 2013 parliamentary elections, NVT will not be applied in the upcoming elections.

E. VOTER REGISTRATION

Citizens aged 18 years or older by election day are entitled to vote, except those found mentally incompetent by a final court decision. Voter registration is passive and voter lists are based on the National Civil Status Register (NCSR), maintained by the Ministry of Interior's General Directorate of Civil Status (GDSCS). Citizens have to register any changes in their status with local civil status offices.

Voters are included in the voter list of the polling stations serving their place of residence. They can only vote in person; there are no provisions for voting abroad, by mail or via mobile ballot box. Special polling stations can be organized in hospitals, prisons, and pre-trial detention centres, provided that the voters have residence in the same municipality where the special polling station is established. Voters added to voter lists at these stations are removed from the voter list at their place of residence.

Once the election date is announced, an "electoral component" with relevant voter information is extracted from the NCSR for each polling station. In line with the law, the GDSCS made public the extracts of electoral components and published their updated versions on a monthly basis.⁷ The number of voters as of 15 April was 3,365,111. For the first time, disaggregated gender data will be provided in the election results with regards to number of voters who have voted. Since 2012, the Electoral Code requires the automatic removal of voters over 100 years old from the voter lists, unless such voters confirm their records.⁸

⁶ Except for Tirana and eight other municipalities which comprise more than one EAZ. In these cases the CEC fulfils some CEAZ functions, including candidate registration and tabulation of election results.

⁷ The voter lists are made available upon request and free of charge to political parties, coalitions, and registered independent candidates. Online versions are also available on the Ministry of Interior and CEC websites.

⁸ The GDSCS informed the OSCE/ODIHR NAM that currently 1,020 records of such voters were not confirmed.

The GDCS is conducting activities to improve the quality of the voter lists, including deleting multiple records and assigning voters with ‘incomplete addresses’ to specific polling stations. The GDCS acknowledged a lack of co-operation in updating voter lists by some mayors, especially from communes that will be abolished after the upcoming elections. In general, OSCE/ODIHR NAM interlocutors noted a continued improvement in the accuracy of the voter lists and raised no major concerns in this respect.

Updates and corrections to voter records are possible up to 40 days before the elections. After this deadline, mayors approve the final voter lists compiled by the civil status offices and forward them to CEAZs for posting at polling stations. Since then and up to 24 hours before election day, any requests to correct voter lists can be made only through the respective district court.

The CEC supervises the overall voter list compilation process and can impose sanctions on mayors for failure to provide or update necessary data. To assess the accuracy of voter lists, the CEC appointed two auditors, who produce and present separate reports on a monthly basis. According to the CEC, the two auditors reported similar findings and confirmed an overall satisfaction with the accuracy of the lists.

F. CANDIDATE REGISTRATION

Any citizen with the right to vote can stand for election, except those serving a prison sentence. The Constitution lists categories of officials who must resign from their positions prior to registering as candidates. Candidates can be nominated by political parties, coalitions of parties, or by groups of voters. Political parties must register as “electoral subjects” with the CEC by 13 April and coalitions by 22 April. According to the CEC, 62 parties were registered. Groups of voters should comprise at least nine voters from the respective municipality and register with the respective CEAZ by 13 April.

Electoral subjects have to submit candidate names to the CEAZs no later than 4 May. Candidates are required to submit supporting signatures of at least one per cent of voters from their respective municipality.⁹ Voters can support multiple contestants. Parties or candidates represented in parliament or local government are not required to collect supporting signatures. However, according to a recent CEC decision, those who are represented only in communes will have to collect supporting signatures, on the grounds that a commune is no longer recognised in the Electoral Code as a result of the reform of local government units. Some OSCE/ODIHR interlocutors expressed concerns about the fairness and inclusiveness of the decision, as well as the late change and subsequent need to collect a greater number of signatures than previously required in a short period of time.

The April 2015 amendments to the Electoral Code require that each list of candidates for local councils should contain 50 per cent of candidates of each gender, with the gender alternating in every second name. Lists which do not comply with this rule are not registered. In addition, should a vacancy arise in the council, the replacement should be the next highest placed candidate on the list of the same gender. This reform addresses a long-standing OSCE/ODIHR recommendation to promote women candidates. All OSCE/ODIHR NAM interlocutors expressed support for these measures.

G. ELECTION CAMPAIGN AND CAMPAIGN FINANCE

The official electoral campaign starts on 22 May and ends 24 hours before election day. While political parties confirmed their ability to campaign freely, including in minority languages, some concerns were expressed about potential pressure on voters, in particular on civil servants, as well as possible misuse of state resources and vote-buying. Campaigning in facilities of public institutions is prohibited. Campaign

⁹ In any case, parties and independent candidates have to provide at least 50 signatures. For parties, but not independent candidates, the Electoral Code sets 3,000 signatures as a maximum number needed for registration.

posters can be displayed only in public places designated by the mayors. The campaign is expected to focus on the impact of local government reform, the attainment of candidate status for accession to the EU, and initiatives to remove people with criminal records from the parliament and government.

Public funds are allocated to parties for their regular activities under the Law on Political Parties,¹⁰ and for their campaign under the Electoral Code. Public campaign funding is provided to all parties contesting the elections that received more than 0.5 per cent of the nationwide vote in the last local council elections. Independent candidates are not entitled to public funding.

Electoral contestants may get donations from citizens or legal entities, as well as take loans or use their own funds. No donation can exceed ALL 1 million (EUR 7,140), including the equivalent value for in-kind contributions.¹¹ All contributions exceeding ALL 100,000 should be made through a designated bank account. Total campaign expenses of a party and an independent candidate should not exceed, respectively, 10 times and 50 per cent of the amount the largest party received from public funds.

All parties and independent candidates are required to disclose the amount of private financing received and campaign expenses incurred, but the law does not state a deadline for when this information should be reported. Some OSCE/ODIHR NAM interlocutors stated that this lessened transparency. The CEC is authorized to verify information in the reports and may impose sanctions on those who fail to submit the required information. Upon the declaration of final election results, the CEC appoints certified auditors to prepare a report on campaign income and expenditure for each contestant. Within 30 days of receipt, the CEC is required to publish the auditor reports, including information on donors who contributed more than ALL 100,000. In 2013, the Council of Europe's Group of States against Corruption (GRECO) concluded that all of its prior recommendations on political financing had been addressed.¹²

H. MEDIA

A range of media outlets operate in the country with television (TV) considered the primary source of political information. According to the Audiovisual Media Authority (AMA), there are 3 national TV channels, 65 local TV channels, 113 cable TV channels, and 71 radio stations, including 6 that broadcast nationwide. Circulation of print media is limited, but the Internet is increasingly used as a source of political information. Most OSCE/ODIHR NAM characterized the media landscape as vibrant but politically aligned with one of the two main parties to the exclusion of smaller parties.

The Constitution guarantees freedom of expression and media, explicitly prohibiting censorship. While the repeal of prison terms for defamation and libel in 2012 was a positive development, they remain criminal offences potentially subject to high fines.¹³ Media coverage of the campaign is comprehensively regulated under the Electoral Code, which stipulates requirements for media on free airtime, news coverage, and paid advertisements during the campaign period. Other laws governing the media are the Law on Public and Private Radio and Television and the Press Law.

The public broadcaster is required to provide registered parties with free airtime according to their parliamentary representation. Parties with over 20 per cent representation (namely, the DP and SP) each

¹⁰ The Law on Political Parties (amended in February 2014) divides 70 per cent of public political party funding among parliamentary parties in proportion to their seats in parliament; 20 per cent equally among parties that received more than 10,000 votes in the previous parliamentary elections; and 10 per cent proportionally among parties that received more than 1 per cent of votes.

¹¹ EUR 1 is approximately ALL 140 (Albanian Lek).

¹² See GRECO's second compliance report of the third evaluation round on transparency of party funding at: [http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3\(2013\)7_Second_Albania_EN.pdf](http://www.coe.int/t/dghl/monitoring/greco/evaluations/round3/GrecoRC3(2013)7_Second_Albania_EN.pdf).

¹³ See Regular Report of the OSCE Representative on Freedom of the Media at: <http://www.osce.org/fom/91528>.

receive 30 minutes daily. Parties with less are allotted 15 minutes, and non-parliamentary parties are entitled to 10 minutes. Broadcasters are required to cover the campaign in their news programmes. Parties with over 20 per cent representation should receive double the amount of coverage of smaller parliamentary parties. Coverage of non-parliamentary parties is at the discretion of editors, but should not exceed the airtime of parliamentary parties. Any airing of election-related activities of public institutions should be counted towards the airtime of the party associated with the head of the institution.

Paid political advertisements are permitted on private broadcast media for all electoral contestants. Each TV and radio station may allocate up to 90 minutes of advertisement to parliamentary parties. The cost of political advertisements should be equal for all contestants and fees should be published on the CEC website. Paid advertisements as well as free airtime must clearly identify the sponsoring party. In general, advertisements of public institutions are prohibited during the campaign.

To monitor broadcast media's campaign coverage, the CEC should establish a seven-member Media Monitoring Board (MMB). Every CEC member should select an MMB member from among of a list of candidates proposed by non-profit media organizations. The CEC publicly called nominating bodies to make their proposals, but the MMB was not established by the 14 April deadline. The CEC informed the OSCE/ODIHR NAM that it has not received sufficient nominations. Some media interlocutors informed the OSCE/ODIHR NAM that they prefer not to nominate representatives to the MMB due to a lack of professional criteria for appointing members and a perceived politicization of the MMB's work.

The MMB should present monitoring reports to the CEC on a daily basis with proposals for administrative sanctions in case of reported violations. The CEC uses these reports when considering the complaints concerning media coverage as well as addresses the proposals for administrative sanctions. To facilitate its monitoring, the MMB is supported with the technical capacities of the AMA.

I. CITIZEN AND INTERNATIONAL OBSERVATION

The Electoral Code allows for international and citizen election observation. Parliamentary parties and coalitions may appoint permanent representatives to the CEC, while other parties have the right to appoint representatives to the CEC only for electoral period. All contestants are entitled to appoint observers to CEAZs, VCCs, and each counting table at a BCC. If parties form a coalition, the right to appoint observers rests with the coalition, rather than with the parties, and is limited to three observers per VCC and counting table per coalition. As the coalitions are usually dominated by the largest parties, many OSCE/ODIHR NAM interlocutors from smaller parties criticized this provision as restricting their ability to effectively follow election day procedures.

Observers have the right to observe all aspects of the electoral process, but only party observers are entitled to receive copies of the results protocols at BCCs and CEAZs. Several citizen observer groups informed the OSCE/ODIHR NAM of their intention to observe the elections but noted that a general lack of funding would hinder their activities.

J. COMPLAINTS AND APPEALS

Under the Electoral Code, only electoral contestants have the right to file complaints against election administration bodies. Voters may only appeal against errors in voter lists and citizen observer groups may only appeal decisions denying their accreditation as election observers.

Most decisions of the CEC and CEAZs may be challenged within five days. The CEC considers all complaints against CEAZs. CEC decisions can be challenged at the Electoral College of the Court of

Appeals of Tirana, whose decisions are final. A few OSCE/ODIHR NAM interlocutors reported a lack of confidence in the impartiality of the election administration and courts in resolving electoral disputes.

The CEC has to reach a decision by qualified majority within 2 days and, for complaints on electoral results, within 10 days. The Electoral College has 10 days to adjudicate all cases filed within the electoral period and 30 days on cases filed after the electoral period.

The Electoral College consists of eight appeal court judges selected prior to the 2013 parliamentary elections by drawing lots. They serve until the following parliamentary elections are called. For each case, the Electoral College sits in a panel of five judges, who are selected by the drawing of lots prior to the hearing of the case. All the cases are considered in open hearings and the decisions are published on the website of the Court of Appeals of Tirana. The Electoral College informed the OSCE/ODIHR NAM that a lack of resources, and the requirement to continue with existing duties, impacted the College's ability to act in a timely manner. The College also noted that a 2012 Electoral Code amendment that removed parties' right to dismiss judges has helped depoliticize perceptions of its work.

IV. CONCLUSIONS AND RECOMMENDATION

Most OSCE/ODIHR NAM interlocutors noted that electoral legislation and practice have improved in recent years and that a number of previous OSCE/ODIHR recommendations have been addressed. Nevertheless, it was also underscored that a high degree of polarization and distrust among political parties remains and that this could have a negative impact on the conduct of elections.

In the context of the recent reform of local government units, all OSCE/ODIHR NAM interlocutors expressed support for a large-scale OSCE/ODIHR election observation activity for the upcoming elections. Representatives of official bodies emphasized that the electoral process would be transparent and that observation by the OSCE/ODIHR and any recommendations for potential improvement of the process would be welcome. Other interlocutors requested that the OSCE/ODIHR deploy the largest possible number of observers to cover all stages of the process, with a particular emphasis on the work of the election administration, candidate registration, the campaign, and election day procedures, including the vote count and tabulation of results.

On this basis, the OSCE/ODIHR NAM recommends the deployment of an election observation mission for the upcoming local elections. In addition to a core team of experts, the OSCE/ODIHR will request the secondment by OSCE participating States of 24 long-term observers to follow the electoral process countrywide, as well as 250 short-term observers to observe election day procedures, including voting, counting of votes, and tabulation of results.

ANNEX: LIST OF MEETINGS

Government Officials

Ometa Barbullushi, Deputy Minister of Foreign Affairs
Venera Domi and Florian Nova, General Directorate of Multilateral Relations, Ministry of Foreign Affairs
Elona Gjebrea Hoxha, Deputy Minister of Internal Affairs
Bledar Doracaj and Miranda Harizaj, General Directorate of Civil Status, Ministry of Internal Affairs
Bledi Çuçi, Minister of State for Local Issues
Enea Hoti, Advisor to the Minister of State for Local Issues

Parliamentary Committee for Legal Issues, Public Administration, and Human Rights

Fatmir Xhafaj, Member of Parliament, Chairperson
Oerd Bylykbashi, Member of Parliament, Deputy Chairperson

Central Election Commission

Lefterije Luzi, Chairperson
Denar Biba, Deputy Chairperson
Skender Vrioni, Secretary General

Electoral College of the Court of Appeals of Tirana

Andi Civici, Valbon Çekrezi, Petrit Çeno, Edlira Petri, Kliton Spahiu, Ilir Toska, and Fuat Vjerdha, Members of the Electoral College

Audio-visual Media Authority

Gentian Sala, Chairperson
Artilla Rama, Legal and Licensing Director
Andrea Nathanaili, Advisor
Alma Dervishaj, Public Relations Specialist

Political Parties

Lulzim Basha, Chairperson, Democratic Party
Arben Ristani, MP, Democratic Party
Ivi Kaso, Elections Secretary, Democratic Party
Mesila Doda, MP, Head of Alliance of Women MPs, Democratic Party
Vladimir Beja, Deputy Chairperson, Demo-Christian Party
Vangjel Dule, MP, Chairperson, Human Rights Union Party
Olijana Ifti and Jani Mavromati, Members, Human Rights Union Party
Sulejman Gjana, Chairperson, Legality Movement Party
Mirela Bogdani and Andi Seferi, Members, New Democratic Spirit Party
Artur Dojaka, Chairperson, People's Alliance Party
Erion Manohasa, Electoral and Legal Director, Party for Justice, Integration and Unity
Fatjon Softa, Deputy Chairperson, People's Alliance Party
Kreshnik Spahiu, Chairperson, Red and Black Alliance
Arjan Madhi, Deputy Chairperson, Republican Party
Skënder Gjini, Chairperson, Social Democrat Party
Edi Rama, MP, Chairperson, Socialist Party
Taulant Balla, MP, Socialist Party
Ilir Meta, MP, Chairperson, Socialist Movement for Integration
Ralf Gjoni, International Secretary, Socialist Movement for Integration

Media

Kleart Duraj, Director of International Relations and Projects, Albanian Radio and Television
Sokol Gjoshi, Legal Director, Albanian Radio and Television
Remzi Lani, Albanian Media Institute
Aleksandër Çipa, Union of Journalists
Lutfi Dervishi, Media Analyst

Civil Society

Vjollca Meçaj, Albanian Helsinki Committee
Andon Kume, Albanian Institute for Election System Development
Aranita Brahaj, Albanian Institute of Science
Ines Leskaj, Albanian Women Empowerment Network
Premto Gogo, Gerta Meta and Rajmonda Prifti, Coalition of Domestic Observers
Mirela Arqimandriti, Coalition for Free and Fair Elections and for Sustainable Democracy
Sinan Tafaj and Armand Nexho, National Council of People with Disabilities
Blerta Balilaj, Women's Democracy Network Albania
Edlira Çepani, Women's Network Equality in Decision Making

International Community

Robert Wilton, Deputy Head of the OSCE Presence in Albania
Representatives of Embassies and International Organizations